

**ORDINANCE NO. 020523-33**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP TO ADD A NEIGHBORHOOD PLAN COMBINING DISTRICT TO THE BASE ZONING DISTRICTS ON APPROXIMATELY 761.7 ACRES OF LAND GENERALLY KNOWN AS THE BOULDIN CREEK NEIGHBORHOOD PLAN AREA ("BOULDIN CREEK") AND TO CHANGE THE BASE ZONING DISTRICTS ON 101 TRACTS OF LAND IN BOULDIN CREEK.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to add a neighborhood plan (NP) combining district to each base zoning district within the property and to change the base zoning districts on 101 tracts of land within the property described in File C14-02-0031, as follows:

Approximately 761.7 acres of land, in the City of Austin, Travis County, Texas, more particularly described and identified in the attached Exhibit "A", (the "Property"),

generally known as the Bouldin Creek Neighborhood Plan (NP) combining district, locally known as the property bounded by Town Lake on the north, South Congress Avenue on the east, Oltorf Street on the south and the Union Pacific Railroad tracks on the west, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

**PART 2.** The base zoning districts for the 101 tracts of land are changed from family residence (SF-3) district, family residence-historic (SF-3-H) combining district, multifamily residence low density (MF-2) district, multifamily residence medium density (MF-3) district, multifamily residence medium density-historic (MF-3-H) combining district, multifamily residence moderate high density (MF-4) district, neighborhood office (NO) district, neighborhood office-conditional overlay (NO-CO) combining district, limited office (LO) district, general office-conditional overlay (GO-CO) combining district, neighborhood commercial (LR) district, neighborhood commercial-historic (LR-H) combining district, neighborhood commercial-conditional overlay (LR-CO) combining district, community commercial (GR) district, general commercial services (CS) district, general commercial services-historic (CS-H) combining district, general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district, commercial-liquor sales (CS-1) district, and commercial-liquor sales-conditional overlay (CS-1-CO)

combining district to family residence-neighborhood plan (SF-3-NP) combining district, single family residence small lot-neighborhood plan (SF-4A-NP) combining district, townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district, multifamily residence moderate high density-neighborhood plan (MF-4-NP) combining district, neighborhood office-mixed use-neighborhood plan (NO-MU-NP) combining district, limited office-mixed use-neighborhood plan (LO-MU-NP) combining district, limited office-conditional overlay-neighborhood plan (LO-CO-NP) combining district, limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district, neighborhood commercial-conditional overlay-neighborhood plan (LR-CO-NP) combining district, neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district, community commercial-mixed used-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district, community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district, community commercial-mixed used-historic-conditional overlay-neighborhood plan (GR-MU-H-CO-NP) combining district, general commercial services-neighborhood plan (CS-NP) combining district, general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district, general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district, general commercial services-historic-conditional overlay-neighborhood plan (CS-H-CO-NP) combining district, commercial-liquor sales-neighborhood plan (CS-1-NP) combining district, commercial-liquor sales-conditional overlay-neighborhood plan (CS-1-CO-NP) combining district, commercial-liquor sales-mixed use-conditional overlay-neighborhood plan (CS-1-MU-CO-NP) combining district, and public-neighborhood plan (P-NP) combining district, as more particularly described and identified in the chart below.

| Tract # | PROPERTY ADDRESS   | FROM           | TO            |
|---------|--|----------------|---------------|
| 1       | 502 DAWSON RD  | CS-1           | CS-1-NP       |
| 2a      | 1005 & 1023 BARTON SPRINGS RD  | CS-1           | CS-1-NP       |
| 2b      | 901, 903, 907, & 921 BARTON SPRINGS RD   | CS, CS-1       | CS-NP         |
| 3       | 0 (1.0 AC OF LOT 6 BLK B BOULDIN J E ESTATE), 801 & 811 BARTON SPRINGS RD      | CS, CS-1, & LO | CS-1-NP       |
| 4       | 601 & 605 BARTON SPRINGS RD  | CS-1           | CS-1-NP       |
| 5       | 600 S 1ST ST (2.33 AC OF LOT 1 BLK B BOULDIN J E ESTATE)                       | MF-4           | CS-MU-CO-NP   |
| 6       | 721 BARTON SPRINGS RD  | CS & CS-1      | P-NP          |
| 7       | 505 & 507 BARTON SPRINGS RD  | CS-1           | P-NP          |
| 8       | 700 S. 1ST ST  | LO             | LO-MU-NP      |
| 9       | 0 (LOTS 4-6 BLK B, CAPITAL HEIGHTS PLUS 1/2 ADJ VAC ALLEY) & 1402 S 5TH STREET | CS             | SF-6-NP       |
| 11      | 1010 & 1012 W MARY ST  | LO             | LO-MU-NP      |
| 12      | 1800 S 5 <sup>TH</sup> ST  | CS             | LR-MU-CO-NP   |
| 13      | 1001 W MARY ST   | CS & SF-3      | GR-MU-H-CO-NP |
| 14      | 1807 S 5 <sup>TH</sup> ST  | CS             | LR-MU-CO-NP   |

| Tract # | PROPERTY ADDRESS  | FROM                        | TO            |
|---------|---|-----------------------------|---------------|
| 15      | 912 W MARY ST   | CS                          | CS-MU-CO-NP   |
| 16      | 915 W MARY ST   | CS                          | CS-MU-CO-NP   |
| 17      | 913 W MARY ST   | GR                          | LR-MU-CO-NP   |
| 18      | 909 W MARY ST   | GR                          | LR-MU-CO-NP   |
| 19      | 908 W MARY ST   | SF-3 & CS                   | SF-3-NP       |
| 20      | 2200, 2206, 2208, 2300 & 2302 S 5TH ST  | MF-3                        | MF-4-NP       |
| 21      | 2207 S 5 <sup>TH</sup> ST   | MF-3 & LR                   | MF-4-NP       |
| 22      | 811 W LIVE OAK ST   | CS-H, LR-H, SF-3-H & MF-3-H | GR-MU-H-CO-NP |
| 23      | 2301& 2311 S 5TH ST, 910 W OLTORF ST  | LR & MF-3                   | GR-MU-CO-NP   |
| 24      | 900 & 904 S 2 <sup>ND</sup> ST(Lots 9 & 10 Abe Williams Subd.)  | SF-3                        | GR-MU-CO-NP   |
| 25      | 900, 902, 904 & 906 S 1ST ST, 901, 903, 905 & 907 S 2ND ST  | SF-3                        | GR-MU-CO-NP   |
| 26      | 908, 910, 912, 1000, 1002, 1004 & 1006 S 1ST ST   | SF-3                        | GR-MU-CO-NP   |
| 27      | 1100, 1102, 1104, 1106, 1108, 1110, 1112, 1114 & 1200 S 1ST ST, 605 & 607 COPELAND ST   | SF-3 & LO                   | GR-MU-CO-NP   |
| 28      | 0 DAWSON ROAD (12.225 ACRES OF LOT 8 BLK B, BOULDIN J E ESTATE), 1104 & 1200 S 6TH ST, 1101, 1105 & 1107 S 7TH ST                   | MF-2 & SF-3                 | P-NP          |
| 29      | 1401 S 7 <sup>TH</sup> ST   | SF-3                        | P-NP          |
| 30      | 1200 S 6 <sup>TH</sup> ST   | SF-3                        | P-NP          |
| 31      | 0 W GIBSON ST (LOTS 14-17 BLK 2, SOUTH HEIGHTS)   | CS & GO-CO                  | CS-MU-CO-NP   |
| 32      | 607 W GIBSON ST   | NO-CO                       | NO-MU-NP      |
| 33      | 1302, 1308 & 1312 S 1ST ST, 605 W GIBSON ST   | CS & SF-3                   | CS-MU-CO-NP   |
| 34      | 1207, 1209, 1301, 1311, 1413, 1415 & 1417 S 1 <sup>ST</sup> ST  | CS                          | CS-MU-CO-NP   |
| 35      | 500 W ELIZABETH ST  | CS-1                        | CS-1-MU-CO-NP |
| 36      | 1400 S 1 <sup>ST</sup> ST   | CS                          | CS-MU-CO-NP   |
| 37      | 1500, 1502 & 1506 S 1ST ST  | CS                          | CS-MU-CO-NP   |
| 38      | 1501 & 1503 S 1ST ST  | CS                          | CS-MU-CO-NP   |
| 39      | 1602, 1628, 1632, 1636, 1700, 1708 & 1720 S 1 <sup>ST</sup> ST, 602 W ANNIE ST  | CS, CS-MU-CO & NO-CO        | CS-MU-CO-NP   |
| 40      | 1601, 1603, 1605, 1609, 1611, 1613, 1615, 1617, 1619, 1701, 1703, 1711, 1713 & 1715 S 1ST ST, 514 & 516 W ANNIE ST, 409 W MONROE ST | CS                          | CS-MU-CO-NP   |
| 41      | 1800 S 1 <sup>ST</sup> ST & 603 W ANNIE ST  | CS                          | CS-MU-CO-NP   |
| 42      | 1816 S 1 <sup>ST</sup> ST   | CS                          | CS-MU-CO-NP   |
| 43      | 1801, 1803, 1805, 1807, 1809 & 1811 S 1ST ST  | CS                          | CS-MU-CO-NP   |
| 44      | 607 W MARY ST   | LO                          | LO-MU-CO-NP   |
| 45      | 1902 S 1 <sup>ST</sup> ST   | CS                          | CS-MU-CO-NP   |
| 46      | 604 W JOHANNA ST  | LR                          | LR-MU-CO-NP   |
| 47      | 1906 & 1924 S 1ST ST  | CS                          | CS-MU-CO-NP   |
| 48      | 1903, 1905 & 1919 S 1ST ST  | CS                          | CS-MU-CO-NP   |
| 49      | 2002, 2004, 2006 & 2008 S 1ST ST  | CS                          | CS-MU-CO-NP   |
| 50      | 2104 S 1ST ST   | CS & SF-3                   | CS-MU-CO-NP   |
| 51      | 2003, 2007, 2009, 2103 & 2105 S 1ST ST, 508 & 510 W LIVE OAK ST   | CS                          | CS-MU-CO-NP   |
| 52      | 603 W LIVE OAK ST   | LR & NO-CO                  | LR-MU-CO-NP   |
| 53      | 601 W LIVE OAK ST   | CS                          | CS-MU-CO-NP   |
| 54      | 2209, 2213, 2215, 2217, 2301 & 2313 S 1ST ST, 501, 503, 507 & 511 W LIVE OAK ST   | CS & SF-3                   | CS-MU-CO-NP   |
| 55      | 2210 S 1 <sup>ST</sup> ST   | CS                          | CS-MU-CO-NP   |

| Tract # | PROPERTY ADDRESS  | FROM       | TO            |
|---------|---|------------|---------------|
| 56      | 2214 S 1 <sup>ST</sup> ST & 600 FLETCHER ST   | CS         | CS-MU-CO-NP   |
| 57      | 2300, 2304, 2306, 2308, 2310 & 2312 S 1ST ST  | CS         | CS-MU-CO-NP   |
| 58      | 703, 704, 705, 706 & 708 JAMES ST, 0 (E 31FT OF LOT 11 BLK 2, SOUTH HEIGHTS) & 608 W GIBSON ST, 1202 S 1ST ST | SF-3 & LO  | P-NP          |
| 59      | 604, 606 & 608 W OLTORF ST  | NO & SF-3  | LO-CO-NP      |
| 60      | 2316 S 1ST ST & 602 W OLTORF ST   | CS         | CS-CO-NP      |
| 61      | 516 W OLTORF ST   | CS, GR     | CS-CO-NP      |
| 62      | 510 W OLTORF ST   | GR         | GR-CO-NP      |
| 63      | 500, 502 & 504 W OLTORF ST  | LO & LR-CO | LR-CO-NP      |
| 64      | 306, 310 & 312 W OLTORF ST  | NO         | LO-CO-NP      |
| 65      | 2314, 2322 & 2354 WILSON ST   | MF-3       | SF-3-NP       |
| 66      | 115A, 115B, 115C & 115D NELLIE ST   | SF-3       | SF-4A-NP      |
| 67      | 1200 & 1220 S CONGRESS AVE  | CS         | CS-CO-NP      |
| 68      | 108 W GIBSON ST (LOTS 28-32 BLK 13 ECK NORA RESUB PLUS VAC ALLEY)   | CS, SF-3   | MF-4-NP       |
| 69      | 1316 S CONGRESS AVE   | CS-1-CO    | CS-1-CO-NP    |
| 70      | 1300 & 1306 S CONGRESS AVE, 105 JAMES ST  | CS-1       | CS-1-CO-NP    |
| 71      | 1316 S CONGRESS AVE & 108 W GIBSON ST (LOT 19 & 3.82 FT OF LOT 18 NEWNING RESUB OF BLK 13 & 2A)               | CS         | CS-CO-NP      |
| 72      | 1403 & 1407 EVA ST, 110 W ELIZABETH ST  | CS         | CS-MU-CO-NP   |
| 73      | 1400 & 1410 S CONGRESS AVE  | CS         | CS-CO-NP      |
| 74      | 1412 S CONGRESS AVE   | CS-H       | CS-H-CO-NP    |
| 75      | 1500, 1504, 1510, 1512, 1516 & 1522 S CONGRESS AVE  | CS         | CS-CO-NP      |
| 76      | 1600, 1602, 1604 & 1608 S CONGRESS AVE  | CS         | CS-CO-NP      |
| 77      | 1606 S CONGRESS AVE   | CS & CS-1  | CS-1-CO-NP    |
| 78      | 1612 S CONGRESS AVE   | CS         | CS-CO-NP      |
| 79      | 0 (LOT 4 AND 5 FT OF LOT 3 BLK 27, SWISHER ADDN), 1700, 1704, 1710, 1712 & 1722 S CONGRESS AVE                | CS         | CS-CO-NP      |
| 80      | 1800, 1802, 1806 & 1822 S CONGRESS AVE  | CS         | CS-CO-NP      |
| 81      | 1900, 1902, 1904, 1906 & 1920 S CONGRESS AVE  | CS         | CS-CO-NP      |
| 82      | 2002 & 2004 S CONGRESS AVE  | CS         | CS-CO-NP      |
| 83      | 2008 S CONGRESS AVE   | CS-1       | CS-1-CO-NP    |
| 84      | 2020 S CONGRESS AVE   | CS         | CS-MU-CO-NP   |
| 85      | 0 (LOT 2 BLK A, RICHARDSON P L), 2110, 2114, 2116, 2118 & 2130 S CONGRESS AV                                  | CS         | CS-CO-NP      |
| 86      | 2206 & 2210 S CONGRESS AVE  | CS & LR    | CS-MU-CO-NP   |
| 87      | 2300, 2304 & 2326 S CONGRESS AVE  | CS         | CS-MU-CO-NP   |
| 88      | 2336 S CONGRESS AVE   | CS-H       | CS-MU-H-CO-NP |
| 89a     | 2216 & 2218 COLLEGE AVE, 2212 S CONGRESS AVE  | LR         | GR-MU-CO-NP   |
| 89b     | 2222 COLLEGE AVE  | GR         | GR-MU-CO-NP   |
| 90      | 312 W MARY ST   | MF-2       | SF-3-NP       |
| 91      | 2004 WILSON ST  | MF-4       | SF-3-NP       |
| 92      | 1908 & 1910 EVA ST  | MF-3       | SF-3-NP       |
| 93      | 1911 EVA ST   | MF-3       | SF-3-NP       |
| 94      | 0 BRODIE ST (GUERRERO PARK)   | SF-3       | P-NP          |
| 95      | 700, 702, 704 & 706 W OLTORF ST   | SF-3       | SF-6-NP       |
| 96      | 800 & 804 W OLTORF ST   | SF-3       | SF-6-NP       |

| Tract # | PROPERTY ADDRESS  | FROM | TO      |
|---------|---|------|---------|
| 97      | 806, 808, 810 & 812 W OLTORF ST   | SF-3 | SF-6-NP |
| 98      | 2309 & 2311 S 4TH ST  | SF-3 | SF-6-NP |
| 99      | 2308, 2310 & 2312 S 4TH ST, 900 & 902 W OLTORF ST                       | SF-3 | SF-6-NP |
| 100     | 1000, 1002, 1004, 1006, 1100, 1102 & 1104 W OLTORF ST                   | SF-3 | SF-6-NP |
| 101     | 1108 W OLTORF ST  | SF-3 | SF-6-NP |
| 102     | 1112, 1114, 1200, 1202, 1204, 1206, 1208, 1210, 1212 & 1214 W OLTORF ST | SF-3 | SF-6-NP |

**PART 3.** Tracts 1 through 5, 11 through 18, 22 and 23, 25 through 27, 31, 33 through 57, 59 through 64, 67, and 69 through 89 may be developed as a neighborhood mixed use building special use as set forth in Sections 25-2-1502 through 25-2-1504 of the Code.

**PART 4.** The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

1. The maximum height of a building or structure or portion of a building or structure is 45 feet measured from ground level on Tracts 22, 23, and 25.
2. The maximum height of a building or structure or portion of a building or structure is 35 feet measured from ground level on Tracts 24, 26 and 27.
3. The maximum impervious coverage is 75 percent on Tracts 22 and 23.
4. The maximum impervious coverage on Tract 24 is 45 percent.
5. The maximum building coverage on Tract 24 is 40 percent.
6. The maximum gross floor area is 15,200 square feet for a hotel-motel use on Tract 24.
7. A 50-foot wide building setback from the center line of East Bouldin Creek is required on Tract 5.
8. A portion of a building or structure that exceeds 35 feet in height must fit within an envelope delineated by a 60-degree angle measured from the top of the structure to a property line that adjoins a public street on Tracts 31 and 33 through 57.
9. Parking is prohibited in a required front yard on Tracts 25 through 27, 67, and 69 through 89.

10. The following use is a conditional use on Tracts 5, 25 through 27, 31, 33 through 43, 45 through 57, 67, and 69 through 89:

A general retail sales (general) use that exceeds 20,000 square feet in gross floor area

11. The following use is a conditional use on Tracts 12, 14 through 18 and 59 through 64:

Drive-in services as an accessory use to commercial uses.

12. The following use is a conditional use on Tracts 11, 14 through 18, and 60 through 63:

Service station

13. The following uses are conditional uses on Tracts 15, 16, 60 and 61:

Adult oriented businesses

Building maintenance services

Equipment repair services

Limited warehousing and distribution

Maintenance and service facilities

14. The following use is a conditional use on Tracts 22 and 23:

Medical offices (exceeding 5,000 square feet of gross floor area)

15. The following use is a prohibited use on Tracts 5, 13, 22 through 27 and 89a:

Drive-in services as an accessory use to commercial uses.

16. The following use is a prohibited use on Tracts 5, 13, 15, 16, 22, 23, 25, 26, 27, 60, 61, 62, and 89a:

Pawn shop services

17. The following uses are prohibited uses on Tracts 5, 13, 15, 16, 22, 23, 25, 26, 27 and 89a:

Automotive rentals

Automotive sales

18. The following uses are prohibited uses on Tracts 5, 13, 22, 23, 25, 26, 27 and 89a:

|  |                                  |
|--|----------------------------------|
| Automotive repair services             | Automotive washing (of any type) |
| Commercial off-street parking          | Communications services          |
| Drop-off recycling collection facility | Exterminating services           |
| Funeral services                       | Service stations                 |

19. The following use is a prohibited use on Tracts 5, 15, and 16:

Vehicle storage

20. The following uses are prohibited uses on Tracts 22 and 23:

|                             |                                |
|-----------------------------|--------------------------------|
| Hospital services (general) | General retail sales (general) |
|-----------------------------|--------------------------------|

21. The following uses are prohibited uses on Tract 5:

|                                      |                                    |
|--------------------------------------|------------------------------------|
| Agricultural sales and services      | Building maintenance services      |
| Campground                           | Construction sales and services    |
| Convenience storage                  | Electronic prototype assemble      |
| Equipment repair services            | Equipment sales                    |
| Kennels                              | Laundry services                   |
| Limited warehousing and distribution | Maintenance and service facilities |
| Monument retail sales                |                                    |

22. The following uses are prohibited on Tract 24:

|                                    |                                    |
|------------------------------------|------------------------------------|
| Administrative and business office | Art and craft studio (limited)     |
| Automotive rentals                 | Automotive repair services         |
| Automotive sales                   | Automotive washing (of any type)   |
| Business or trade school           | Business support services          |
| Consumer convenience services      | Drop-off recycling facility        |
| Exterminating services             | Financial services                 |
| Food sales                         | Funeral services                   |
| General retail sales (general)     | General retail sales (convenience) |
| Indoor entertainment               | Indoor sports and recreation       |
| Medical offices (any size)         | Off-site accessory parking         |
| Personal services                  | Pet services                       |

Plant nursery  
Research services  
Restaurant (general)  
Service station  
Theater  
Congregate living  
Guidance services  
Hospital services (limited)  
Bed and breakfast (Group II)  
Group residential  
Townhouse residential  
Communication services  
Outdoor entertainment  
Pawn shop services  
Urban farm

Professional office  
Restaurant (drive-in, fast food)  
Restaurant (limited)  
Software development  
Custom manufacturing  
Counseling services  
Hospital services (general)  
Residential treatment  
Condominium residential  
Multifamily residential  
Commercial off-street parking  
Consumer repair services  
Outdoor sports and recreation  
Personal improvement services

23. The following uses are conditional uses on Tract 24:

|  |  |
|--|--|
| College and university facilities        | Community recreation (private)         |
| Community recreation (public)            | Cultural services                      |
| Day care services (commercial)           | Day care services (general)            |
| Local utility services                   | Private primary educational facilities |
| Private secondary educational facilities | Safety services                        |

24. For a hotel-motel use on Tract 24:

- a. Except as shown in subsection b the setback for structures, parking areas, and driveways on Lot 9, Abe Williams Subdivision is 200 feet from the west property line. (900 West 2<sup>nd</sup> Street).
- b. On Lot 9 the setback is 150 feet from the west property line for a detention pond or a drainage facility.
- c. The setback for structures, parking areas, driveways, detention ponds, or drainage facilities on Lot 10, Abe Williams Subdivision is 200 feet from the west property line. (904 West 2<sup>nd</sup> Street)



**PART 5.** Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the respective base district and other applicable requirements of the City Code.

**PART 6.** The Council waives the requirements of Section 2-2-3, 2-2-5, and 2-2-7 of the City Code for this ordinance.

**PART 7.** This ordinance takes effect on June 3, 2002.

**PASSED AND APPROVED**

\_\_\_\_\_, May 23, 2002

§  
§  
§

*Gustavo L. Garcia*

Gustavo L. Garcia  
Mayor

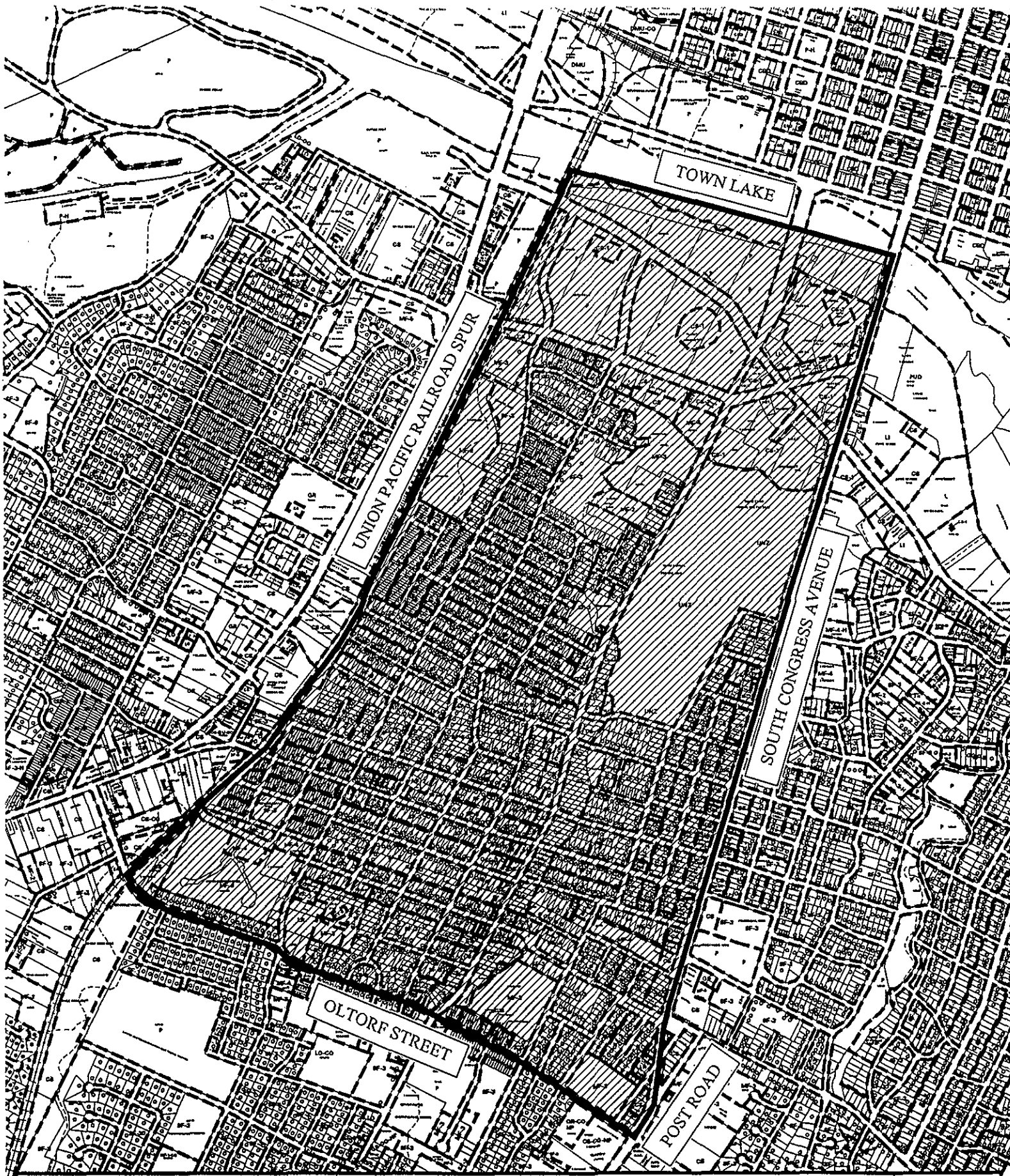
APPROVED:

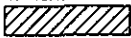


*Sedora Jefferson*  
Sedora Jefferson  
City Attorney

ATTEST:

*Shirley A. Brown*  
Shirley A. Brown  
City Clerk





SUBJECT TRACT   
 PENDING CASE   
 ZONING BOUNDARY   
 CASE MGR: W. WALSH

CASE #: C14-02-0031  
 ADDRESS: BOULDIN CREEK  
 NEIGHBORHOOD PLANNING AREA  
 SUBJECT AREA (acres): N/A

# ZONING EXHIBIT B

DATE: 02-03  
 INTLS: SM

CITY GRID  
 REFERENCE  
 NUMBER  
 J20-22,H20-2  
 2